

REMARKS

Applicant is in receipt of the Office Action mailed December 21, 2004. Claims 1, 26, 38-44, 48, and 49 have been amended. Claims 1-13, 16, 17, 19, and 21-50 remain pending in the case. Reconsideration of the present case is earnestly requested in light of the following remarks.

Double Patenting Rejection

Claims 1-39 and 44-50 were rejected under the judicially created doctrine of double patenting over claims 1, 7, 8-11, 24-28, 31-35, 39-45, 49, 50, 55-60, 63-67, and 70 of U.S. Patent No. 6,807,305. Applicant will submit a Terminal Disclaimer to address this issue.

Section 112 Rejections

Claims 1-13, 16, 17, 19, and 21-50 were rejected under 35 U.S.C. 112, second paragraph, for antecedent basis errors. The independent claims have been amended to correct these errors. More specifically, the phrase “before said determining a unified signal transform from the set of candidate signals” (and equivalents) has been deleted from the independent claims. Applicant submits that due to the subsequent clause “determining a unified signal transform *from the set of candidate signals*”, the “receiving the initial set of candidate signals” occurring before the determination of the unified signal transform is inherent. Applicant respectfully requests removal of the section 112 rejection of these claims.

Objections

Claims 26-37 were objected to because the memory medium was not specifically associated with a computer. As stated in the MPEP §2106 IV.B.1(a), “. . . a claimed computer-readable medium encoded with a computer program defines structural and functional interrelationships between the computer program and the medium which permit the computer program's functionality to be realized, and is thus statutory”. Applicant has amended claim 26 to emphasize that the memory medium is a computer-

readable memory medium, and that the program instructions are computer-executable. Applicant respectfully requests removal of the objection to these claims.

Information Disclosure Statement

The Examiner indicated that IDS filed on November 23, 2004 did not include a concise explanation of the relevance of the information submitted. Applicant notes that the submission is directed generally to Fourier analysis, and was intended to provide generally known technical background information on Fourier analysis for contextual purposes. Applicant submits that the submitted reference does not teach Applicant's invention.

Allowed Subject Matter

Applicant appreciates the allowed subject matter, and, pending submission of the Terminal Disclaimer indicated above, submits that the claims as currently written are allowable.

If the Examiner has any issues with the claims as currently written, Applicant respectfully requests a Telephone Interview with the Examiner to resolve them in a timely manner.

CONCLUSION

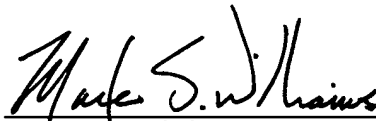
Applicant submits the application is in condition for allowance, and an early notice to that effect is requested.

If any extensions of time (under 37 C.F.R. § 1.136) are necessary to prevent the above referenced application(s) from becoming abandoned, Applicant(s) hereby petition for such extensions. If any fees are due, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert & Goetzel PC Deposit Account No. 50-1505/5150-51800/JCH.

Also enclosed herewith are the following items:

- ☒ Return Receipt Postcard
- ☒ Terminal Disclaimer to Obviate a Double Patenting Rejection Over a Prior Patent
- ☒ Power of Attorney By Assignee and Revocation of Previous Powers

Respectfully submitted,



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